

Amendments to the Claims:

This listing of claims will replace all prior versions, and listings, of claims in the application:

Listing of Claims:

1. (Amended) A method of distributing audio content transmitted over radio comprising the steps of:

assigning a user identification value to a subscriber;

storing contact information on the subscriber linked to the user identification

value;

assigning a channel identification value to a radio station channel;

assigning an audio content value to an audio recording played over the radio

transmission;

generating a play database storing the time at which each audio recording was played on each radio station;

receiving a signal having a user identification value and a channel identification value;

cross-referencing the play database for the audio content value of the audio recording played on the radio station at the time the signal was received; and

transmitting data associated with the audio content value to the subscriber according to the stored contact information, wherein the data associated with the audio content value is a digital audio file of the audio recording played over the radio transmission.

2. (Canceled)

3. (Amended) The method of claim [[2]] 1 further comprising the step of encoding the user identification value in the digital audio file prior to transmitting the digital audio

file to the subscriber.

4. (Amended) The method of claim [[2]] 1 further comprising the step of processing the digital audio file with DRM prior to transmitting the digital audio file to the subscriber.

5. (Amended) The method of claim [[2]] 1 wherein the contact information on the subscriber includes billing information.

6. (Original) The method of claim 5 further comprising the step of executing a billing transaction responsive to the transmission of the digital audio file to the subscriber.

7. (Canceled)

8. (Canceled)

9. (Canceled)

10. (Canceled)

11. (Canceled)

12. (Original) The method of claim 1 wherein the radio transmission originates from terrestrial-based antennas.

13. (Original) The method of claim 1 wherein the radio transmission originates from earth-orbiting satellite.

14. (Original) A method of distributing digital audio content transmitted over satellite radio comprising the steps of:

assigning a user identification value to a subscriber;

storing contact information and billings information on the subscriber linked to

the user identification value;

assigning a channel identification value to each satellite radio station;

assigning an audio content value to an audio recording played over the satellite radio transmission;

generating a play database storing the time at which each audio recording was played on each satellite radio station;

receiving a wireless signal through a cellular communications network having a user identification number and a channel identification value;

cross-referencing the play database for the audio content value of the audio recording played on the radio station at the time the signal was received; and

transmitting a DRM processed digital audio file associated with the audio content value to a playback device accessible to the subscriber according to the stored contact information.

15. (Amended) An apparatus for distributing audio content transmitted over a radio broadcast device comprising:

a transmitter communicatively coupled to a radio receiver device;

a computer readable store holding a user identification value, the store communicatively coupled to the transmitter;

a radio channel coupler communicatively coupled to the transmitter, the coupler adapted to identify a radio station currently played by the radio broadcast device; [[and]]

an audio selection means communicatively coupled to the transmitter whereby upon execution of the audio selection means the transmitter generates a signal comprising the user identification value and the identity of the radio station currently playing on the radio broadcast device[.];

a receiver communicatively coupled to the transmitter, the receiver adapted to receive the signal:

a subscriber contact information store communicatively coupled to the receiver;

a play database communicatively coupled to the receiver, the play database further comprising at least one table associating an audio recording to the radio station and time at which it was broadcast;

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a timer communicatively coupled to the receiver whereby upon reception of the signal by the receiver, the play database is cross-reference for the audio content played according to a time value, the time value generated by the timer contemporaneous with the reception of the signal; and

an audio content delivery means, wherein the audio content delivery means is computer software process adapted to transmit to the subscriber a digital audio file of the audio content.

16. (Original) The apparatus of claim 15 wherein the signal generated by the transmitter is a TCP/IP data packet.

17. (Original) The apparatus of claim 15 wherein the signal generated by the transmitter is wireless.

18. (Original) The apparatus of claim 17 wherein the wireless signal conforms to IEEE 802.15 protocol.

19. (Original) The apparatus of claim 17 wherein the wireless signal conforms to IEEE 802.11 protocol.

20. (Original) The apparatus of claim 17 wherein the wireless signal is an analog cellular transmission.

21. (Original) The apparatus of claim 17 wherein the wireless signal is a digital cellular transmission.

22. (Canceled)

23. (Original) The apparatus of claim 15 wherein the signal generated by the transmitter is a dual tone multi-frequency signal.

24. (Canceled)

25. (Canceled)

26. (Canceled)

27. (Canceled)

28. (Canceled)

29. (Canceled)

30. (Amended) The apparatus of claim [[27]] 15 wherein the computer software encodes the user identification value into the digital audio file prior to transmission to the subscriber.

31. (Amended) The apparatus of claim [[27]] 15 wherein the computer software processes the digital audio file with DRM prior to transmission to the subscriber.

32. (Original) An apparatus for distributing digital audio content transmitted over satellite radio comprising:

- a cellular transmitter communicatively coupled to a satellite radio receiver device;

- a computer readable user identification value communicatively coupled to the cellular transmitter;

- a satellite radio channel coupler communicatively coupled to the cellular transmitter, the coupler adapted to identify a satellite radio station currently played by the radio receiver device;

- an audio selection means communicatively coupled to the cellular transmitter whereby upon execution of the audio selection means the cellular transmitter sends a

cellular digital packet comprising the user identification value and the identity of the radio station currently playing on the radio broadcast device;

a receiver adapted to receive the cellular digital packet;

a subscriber contact information store communicatively coupled to the receiver;

a play database communicatively coupled to the receiver, the play database further comprising at least one table associating an audio recording to the satellite radio station and time at which it was broadcast;

a timer communicatively coupled to the receiver whereby upon reception of the cellular digital packet by the receiver, the play database is cross reference for the audio content played according to a time value, the time value generated by the timer contemporaneous with the reception of the signal;

a computer software process communicatively coupled to the receiver whereby a DRM processed digital audio file associated with the audio content value is transmitted to a playback device accessible to the subscriber according to the stored subscriber contact information.

33. (Amended) An apparatus for distributing digital audio content transmitted over satellite radio comprising

a transmitter;

a computer readable store holding a user identification value, the store communicatively coupled to the transmitter;

a radio channel selection means communicatively coupled to the transmitter, the selection means adapted to select a radio station; [[and]]

an audio selection means communicatively coupled to the transmitter whereby upon execution of the audio selection means the transmitter generates a signal comprising the user identification value and the identity of the radio station currently playing on the radio broadcast device[[.]];

a receiver communicatively coupled to the transmitter, the receiver adapted to receive the signal;

a subscriber contact information store communicatively coupled to the receiver;

a play database communicatively coupled to the receiver, the play database further comprising at least one table associating an audio recording to the radio station and time at which it was broadcast, wherein the play database is generated subsequent to the broadcast of the associated audio recordings, the received signals are stored in a queue and the transmission of data associated with the audio content value is performed responsive to an update of the play database to match the time, channel identification value and audio content value received in the signal;

a timer communicatively coupled to the receiver whereby upon reception of the signal by the receiver, the play database is cross-reference for the audio content played according to a time value, the time value generated by the timer contemporaneous with the reception of the signal; and

an audio content delivery means for delivering audio content.

34. (Original) The apparatus of claim 33 further comprising a timer communicatively coupled to the audio selection means whereby the signal generated by the transmitter includes a time-stamp value representative of the time when the audio selection means was activated.

35. (Original) The apparatus of claim 33 further comprising a wireless reception means adapted to populate the computer readable store with radio station information.

36. (Canceled)

37. (New) A method of distributing audio content transmitted over radio comprising the steps of:

- assigning a user identification value to a subscriber;
- storing contact information on the subscriber linked to the user identification value;
- assigning a channel identification value to a radio station channel;
- assigning an audio content value to an audio recording played over the radio transmission;
- generating a play database storing the time at which each audio recording was

played on each radio station, wherein the play database is generated prior to the broadcast of the associated audio recordings and the transmission of data associated with the audio content value is substantially performed in real time;

receiving a signal having a user identification value and a channel identification value;

cross-referencing the play database for the audio content value of the audio recording played on the radio station at the time the signal was received; and

transmitting data associated with the audio content value to the subscriber according to the stored contact information.

38. (New) The method of claim 37 wherein the data associated with the audio content value is a link to purchase the audio recording played over the radio transmission.

39. (New) The method of claim 37 wherein the data associated with the audio content value is an optical compact disc comprising a plurality of audio recordings played over the radio transmission.

40. (New) The method of claim 37 wherein the data associated with the audio content value is information relating to the performance of the audio recording played over the radio transmission.

41. (New) A method of distributing audio content transmitted over radio comprising the steps of:

assigning a user identification value to a subscriber;

storing contact information on the subscriber linked to the user identification value;

assigning a channel identification value to a radio station channel;

assigning an audio content value to an audio recording played over the radio transmission;

generating a play database storing the time at which each audio recording was played on each radio station, wherein the play database is generated subsequent to the

broadcast of the associated audio recordings, the received signals are stored in a queue and the transmission of data associated with the audio content value is performed responsive to an update of the play database to match the time, channel identification value and audio content value received in the signal;

receiving a signal having a user identification value and a channel identification value;

cross-referencing the play database for the audio content value of the audio recording played on the radio station at the time the signal was received; and

transmitting data associated with the audio content value to the subscriber according to the stored contact information.

42. (New) The method of claim 41 wherein the data associated with the audio content value is a link to purchase the audio recording played over the radio transmission.

43. (New) The method of claim 41 wherein the data associated with the audio content value is an optical compact disc comprising a plurality of audio recordings played over the radio transmission.

44. (New) The method of claim 41 wherein the data associated with the audio content value is information relating to the performance of the audio recording played over the radio transmission.

45. (New) An apparatus for distributing digital audio content transmitted over satellite radio comprising

a transmitter;

a computer readable store holding a user identification value, the store communicatively coupled to the transmitter;

a radio channel selection means communicatively coupled to the transmitter, the selection means adapted to select a radio station;

an audio selection means communicatively coupled to the transmitter whereby upon execution of the audio selection means the transmitter generates a signal

comprising the user identification value and the identity of the satellite radio station currently playing on the radio broadcast device;

a receiver communicatively coupled to the transmitter, the receiver adapted to receive the signal;

a subscriber contact information store communicatively coupled to the receiver;

a play database communicatively coupled to the receiver, the play database further comprising at least one table associating an audio recording to the radio station and time at which it was broadcast, wherein the play database is generated prior to the broadcast of the associated audio recordings and the transmission of data associated with the audio content value is substantially performed in real time; and

an audio content delivery means for delivering audio content.

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